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RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
CHARLES W. McCALL, and JAY M.
LAPINE,
Defendants.

No. CR-00-0505-MJJ
MODIFIED
STIPULATION NO. 5 REGARDING
OFFICERS AND REGISTRATION

The parties hereby stipulate, for purposes of the trial of this action, that the following facts are conclusively established beyond a reasonable doubt and therefore are not in dispute:

From December 1, 1997 through January 12, 1999, the defendants Charles McCall and Jay Lapine were officers of HBO & Company. From January 12, 1999 to April 28, 1999 Charles McCall was an officer of McKessonHBOC.

From December 1, 1997 through January 12, 1999, HBO & Company and McKesson Corp. each had a class of securities registered pursuant to Section 78l of Title 15 of the United

1 States Code. In addition, from January 13, 1999 through April 28, 1999, McKessonHBOC
2 had a class of securities registered pursuant to Section 78l of Title 15 of the United States Code.

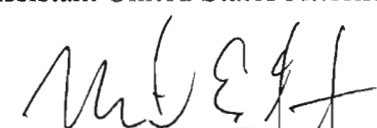
3 The parties agree that this stipulation may be admitted into evidence at trial.

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5 IT IS SO STIPULATED.

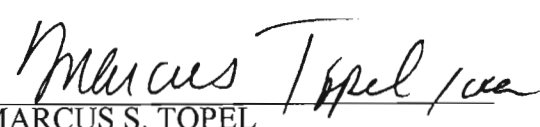
6
7 DATED: 10.23.06


TIMOTHY P. CRUDO
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10 DATED: 10/23/06


THEODORE V. WELLS, JR.
Counsel for Mr. McCall

11
12
13 DATED: _____


MARCUS S. TOPEL
Counsel for Mr. Lapine